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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(OAKLAND DIVISION)

10 OPERATING ENGINEERS' PENSION
11 TRUST FUND; F.G. CROSTHWAITE and
12 RUSSELL E. BURNS, as Trustees,

13 Plaintiffs,

14 vs.

15 TERRASEARCH, a California Corporation, 3
16 MAK, LLC, a California Limited Liability
17 Company, and DOES 1-20,

Defendants.

Case No.: CV 10-04964 SBA (LB)

**STIPULATION CONTINUING
HEARING ON MOTION TO SET
ASIDE DEFAULT; [PROPOSED]
ORDER**

18 Defendants filed their Motion to Set Aside the Default ("MSAD") on June 22, 2011.
19 Docket No. 43. The MSAD was referred to Magistrate Judge Beeler for report and
20 recommendation on June 24, 2011. Docket No. 44. Judge Beeler issued an Order setting the
21 hearing on the MSAD for September 1, 2011, with Plaintiffs' Opposition due July 18, 2011, and
22 Defendants' Reply Brief due July 25, 2011. Docket No. 47. The parties are currently exchanging
23 information and documents in an attempt to resolve this matter. If the parties reach an agreement
24 the MSAD may become moot.

25 As such, the parties hereby stipulate to continue the hearing on the MSAD to September
26 22, 2011, at 11:00 a.m., and further stipulate that Plaintiffs' Opposition shall be due on August 25,
27 2011, and Defendants' Reply Brief shall be due on September 1, 2011.

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STIPULATION
Case No.: CV 10-04964 SBA (LB)

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2 Dated: July 14, 2011

SALTZMAN & JOHNSON LAW CORPORATION

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By: _____/s/
Shaamini A. Babu
Attorneys for Plaintiff

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7 Dated: July 14, 2011 LITTLER MENDELSON P.C.

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By: _____/s/
Stephen C. Tedesco
Attorneys for Defendants

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IT IS SO ORDERED.

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Based on the foregoing, and good cause appearing, the hearing on Defendants' Motion to Set Aside Default is hereby calendared for **October 6, 2011 at 11:00 a.m.** Plaintiffs' Opposition shall be filed by August 25, 2011, and Defendants' Reply Brief shall be filed by September 1, 2011.

Date: July 21, 2011

